

PUBLIC NOTICE

PERMIT APPLICATION: NRS #06.076

APPLICANT: Mr. Barry P. McIntosh, Jr.
575 Anderson Drive
Paris, TN 38242
731-988-9840

LOCATION: Marina Extension, Tennessee River Mile 64.8, Left Bank, Kentucky Lake
Henry County

WATERSHED DESCRIPTION: The Lower Tennessee River watershed consists of a massive drainage area encompassing several states before entering the Kentucky Lake embayment. Land use near the proposed activity is predominantly rural woodland and residential. The cove where the project is sited is primarily silt/gravel bottomed. The existing vegetation along the cove is small trees and grass. Lat. 36.464722, Long. -88.08333

PROJECT DESCRIPTION: The applicant proposes to excavate approximately 30,000 cubic yards of material from Kentucky Lake for a boat access channel and marina. The spoil would be used to create a wave break on an existing roadbed, which would be stabilized by riprap on both slopes. The marina would be extended by installation of floating docks. Standard erosion control devices would be used to prevent sediment from entering flowing water. Upon completion of the work, all disturbed areas would be stabilized.

PERMIT COORDINATOR: Brian Canada, STATE OF TENNESSEE, Department of Environment and Conservation Division of Water Pollution Control, 7th Floor, L&C Annex, 401 Church Street, Nashville, Tennessee 37243-1534

USGS TOPOGRAPHIC QUADRANGLE: Paris Landing, TN (019-NE)

TO WHOM IT MAY CONCERN: The application described above has been submitted for an Aquatic Resource Alteration Permit pursuant to *The Tennessee Water Quality Control Act of 1977*, T.C.A. §69-3-108.

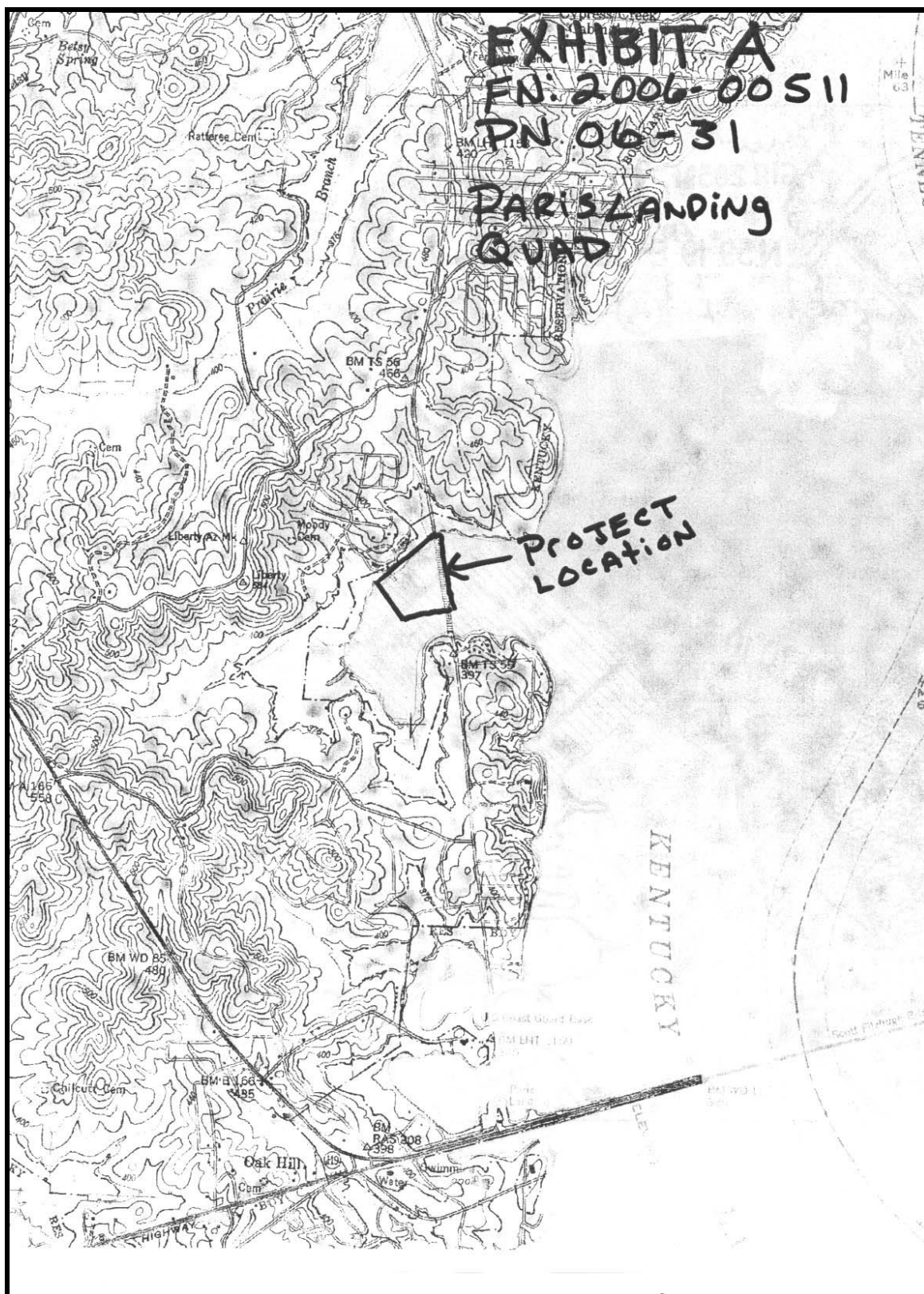
The purpose of this notice is to advise all concerned of the proposal for which a permit is sought, and to solicit comments and information necessary to evaluate the probable impact of the activities upon the respective water resources. The decision whether to issue or deny will in part be based upon that evaluation. All factors that may be relevant to the proposals will be considered.

Persons wishing to comment on or object to the issuance of a proposed permit are invited to submit comments in writing to the Department of Environment and Conservation Division of Water Pollution Control at the address listed above. Written statements received in this office on or before the date of expiration of the comment period thirty days from the publication date of this notice will become part of the record and will be considered in the determination. The applicant's name and permit number should be referenced.

Interested persons may also request in writing that the director of the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the person requesting it, and the reasons that the hearing is warranted. When there is sufficient public interest, the director shall hold a hearing in accordance with Rule 1200-4-7-.04(4)(f).

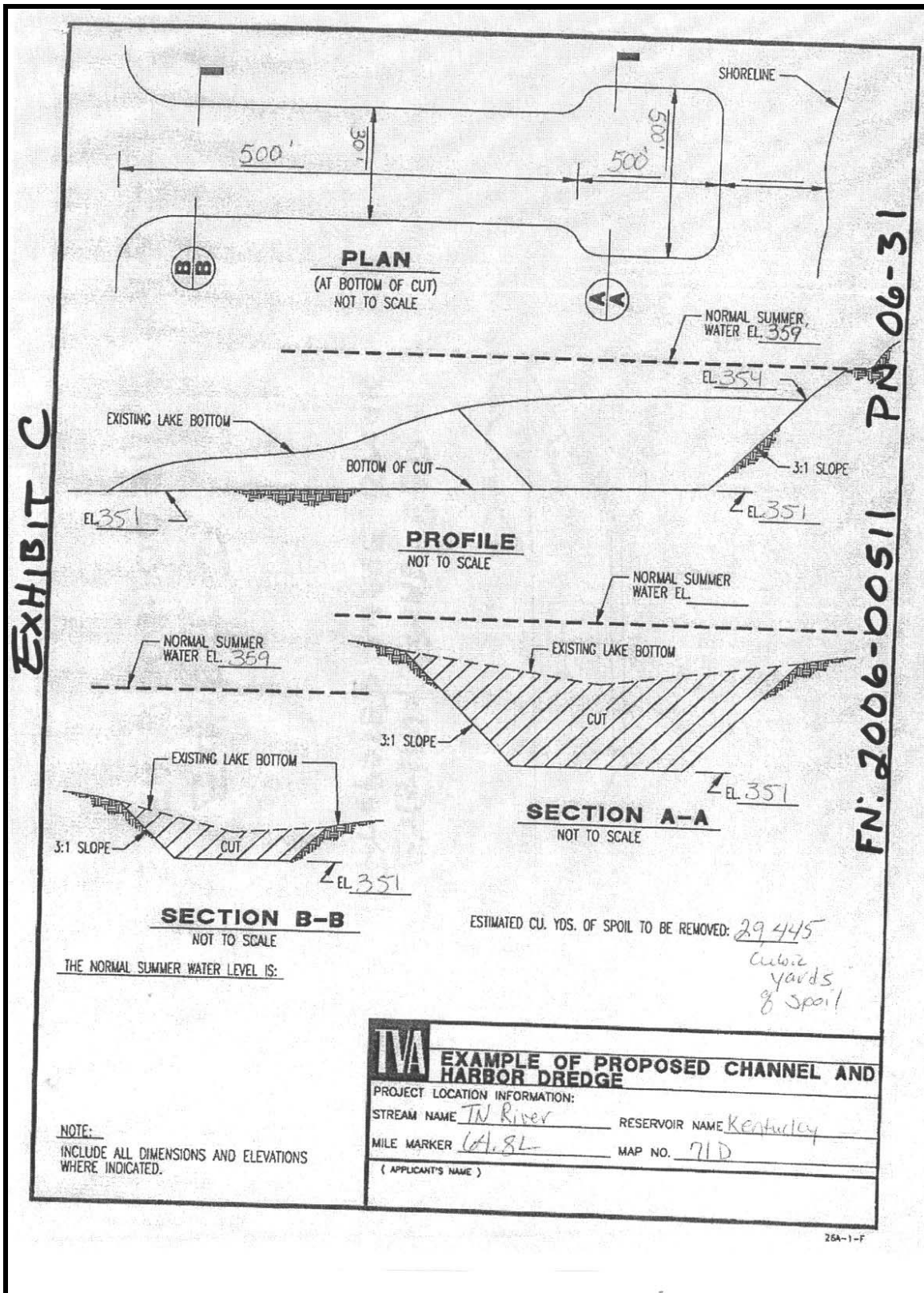
After consideration of comments submitted during the public comment period, the hearing record if any, and the requirements of federal and State law, the director of the Division will make determinations regarding the final action on each permit. Permit applications, supporting documentation, and related comments are available for review and/or copying.

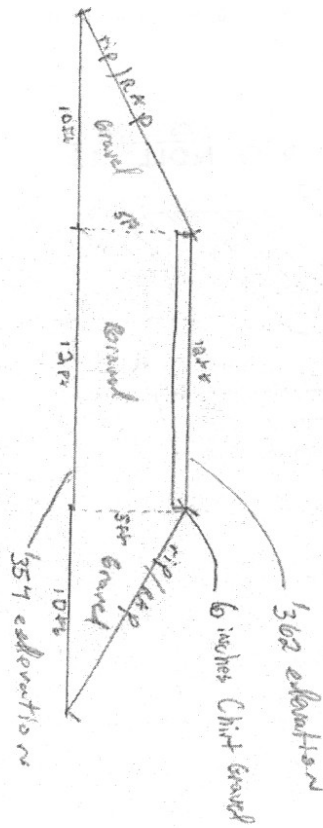
In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will not result in degradation to water quality.



Flowage Easement

The Breakers of Swan Bay
TNI Diver Mile 64 91





EXISTING ROAD BED
PROPOSED WAVE BREAK

EXHIBIT D

FN: 2006-00511

PN 06-31